
HOUSE BILL 2726

State of Washington 60th Legislature 2008 Regular Session

By Representatives Fromhold and Ericks

Read first time 01/16/08. Referred to Committee on Local Government.

1 AN ACT Relating to cost recovery for fire protection and public
2 safety services rendered on navigable waters of the state to commercial
3 vessels by fire protection agencies; adding a new section to chapter
4 35.103 RCW; and adding a new section to chapter 52.26 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.103 RCW
7 to read as follows:

8 (1) When a fire or public safety incident involving a commercial
9 vessel occurs on navigable waters of the state, within or outside of
10 the territorial limits of any fire protection district as established
11 by chapter 52.20 RCW, city or town as defined by RCW 35.103.020, or
12 regional fire service authority as established by chapter 52.26 RCW,
13 and marine rescue and firefighting services are provided, with or
14 without a contract to do so, the responding fire protection agency may
15 recover from the person or vessel receiving the marine rescue and
16 firefighting services the following:

17 (a) The contract or reasonable value of the use, including repairs
18 and depreciation, of the apparatus and equipment used;

1 (b) The cost of fire protection personnel engaged to provide marine
2 rescue and firefighting services as a result of the fire or public
3 safety incident; and

4 (c) All other costs reasonably incurred in providing the marine
5 rescue and firefighting services as a result of the fire or public
6 safety incident.

7 (2) For the purposes of this section:

8 (a) "Navigable waters of the state" shall be within the meaning of
9 RCW 88.46.010(11); and

10 (b) "Commercial vessel" shall mean a "covered vessel" as defined by
11 RCW 88.46.010(5).

12 (3) Nothing in this section shall be deemed to preempt or limit the
13 cost recovery rights and remedies available to a fire protection agency
14 by other state or federal law.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 52.26 RCW
16 to read as follows:

17 (1) When a fire or public safety incident involving a commercial
18 vessel occurs on navigable waters of the state, within or outside of
19 the territorial limits of any fire protection district as established
20 by chapter 52.20 RCW, city or town as defined by RCW 35.103.020, or
21 regional fire service authority as established by chapter 52.26 RCW,
22 and marine rescue and firefighting services are provided, with or
23 without a contract to do so, the responding fire protection agency may
24 recover from the person or vessel receiving the marine rescue and
25 firefighting services the following:

26 (a) The contract or reasonable value of the use, including repairs
27 and depreciation, of the apparatus and equipment used;

28 (b) The cost of fire protection personnel engaged to provide marine
29 rescue and firefighting services as a result of the fire or public
30 safety incident; and

31 (c) All other costs reasonably incurred in providing the marine
32 rescue and firefighting services as a result of the fire or public
33 safety incident.

34 (2) For the purposes of this section:

35 (a) "Navigable waters of the state" shall be within the meaning of
36 RCW 88.46.010(11); and

1 (b) "Commercial vessel" shall mean a "covered vessel" as defined by
2 RCW 88.46.010(5).

3 (3) Nothing in this section shall be deemed to preempt or limit the
4 cost recovery rights and remedies available to a fire protection agency
5 by other state or federal law.

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